

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3800

IN THE MATTER OF:

Served August 6, 1991

Application of BOSTON COACH -)	Case No. AP-91-20
WASHINGTON CORP., Trading as)	
BOSTON COACH for a Certificate of)	
Authority -- Irregular Route)	
Operations)	

By application filed June 14, 1991, Boston Coach - Washington Corp., trading as Boston Coach (Boston Coach or applicant), a Massachusetts corporation, seeks a Certificate of Authority to transport passengers in irregular route operations between points in the Metropolitan District.

By Order No. 3780, served June 20, 1991, notice of this application was given, and applicant was directed to publish further notice in a newspaper and file proof of publication. Applicant complied with these requirements, and no protests or comments were filed in this case. No person requested an oral hearing. The application is now ready for decision.

SUMMARY OF EVIDENCE

Boston Coach is a wholly-owned subsidiary of FTM Corp., a Massachusetts corporation, and is affiliated with four other companies that are also wholly-owned subsidiaries of FTM Corp., -- Boston Coach Corp., Puritan Transport Corp., Franklin Coach Corp., and Pittsburgh Coach Corp. The application states that none of the affiliated companies are engaged in motor carrier activities within the Metropolitan District.

Applicant proposes to "purchase two new mini-coaches either 24 or 29 passenger, and 15 new automobiles. These will be registered in Virginia." The application states that "[a]pplicant, upon study of the market, believes that additional need exists within the community for a high quality transportation service, geared primarily to business travel, which will include the operation of vehicles in a so-called 'black car' sedan service (not subject to WMATC regulation)¹ and the operation of mini-buses." Applicant has made arrangements to lease property at 2700 Dorr Avenue, Fairfax, VA, consisting of office space, paved parking, and vehicle maintenance facilities.

Drivers must be appropriately licensed and conform to United States Department of Transportation (USDOT) regulations. Background

¹ With regard to sedan services characterized as "not subject to WMATC regulation," applicant is formally advised to be familiar with and abide by Commission Regulation No. 51-09 and the precepts advanced in Order No. 2559, served May 24, 1984.

and criminal checks of each driver will be conducted. Each driver will undergo a week of training before driving passengers. Applicant's president certifies that Boston Coach will comply with USDOT requirements, the Compact, and the Commission's rules and regulations.

With its application Boston Coach filed a balance sheet as of May 31, 1991, showing an asset of \$600,000 due from its parent, FTM Corp., accompanied by a letter from the president of FTM (also the president of Boston Coach) to the effect that FTM's board of directors has authorized a capital contribution of \$600,000 to Boston Coach during calendar year 1991 in connection with the institution of passenger transportation operations in the Washington, DC area. Boston Coach also filed a projected operating statement estimating annual WMATC operating income of \$450,000 and other income of \$550,000. Total operating expenses, including depreciation, are projected to be \$880,000, resulting in net operating income of \$120,000.

Applicant's proposed tariff shows the following rates:

	<u>Rate/Hour</u>	<u>Minimum</u>
15 passenger van	\$40.00	\$120.00
21 passenger mini-coach	\$45.00	\$135.00
22-30 passenger mini-coach	\$50.00	\$150.00

Those rates include travel time to and from the garage at the greater of actual travel time or one hour. Lecture service by a driver/guide would cost an additional \$10 per hour.

Airport transfer rates are shown as follows:

Between a point within the Washington Beltway
(Interstate Highway 495) and

Washington National	2 Hours + Travel Time
Dulles International	3 Hours + Travel Time

Between a point outside the Washington Beltway
(Interstate Highway 495) and

Washington National	3 Hours + Travel Time
Dulles International	3 Hours + Travel Time

DISCUSSION AND CONCLUSIONS

This case is governed by the Compact, Title II, Article XI, Section 7(a) which provides in relevant part that:

. . . the Commission shall issue a certificate to any qualified applicant, . . . if it finds that -

(i) the applicant is fit, willing, and able to perform that transportation properly, conform to the provisions of this Act, and conform to the rules, regulations, and requirements of the Commission; and

(ii) that the transportation is consistent with the public interest.

Applicant appears to have a firm commitment of financing from its parent, FTM. In addition, Boston Coach can be expected to draw upon the transportation experience of its corporate affiliates in the process of initiating and conducting operations. Its application states that it has drawn upon these resources in preparing its projected operating statement. The Commission finds Boston Coach to be fit, willing, and able to perform the proposed transportation properly and to comply with applicable regulatory requirements. The Commission further finds the proposed transportation to be consistent with the public interest.

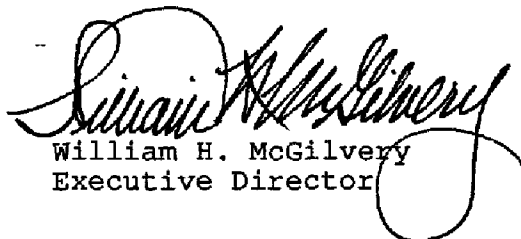
THEREFORE, IT IS ORDERED:

1. That Boston Coach - Washington Corp. trading as Boston Coach is hereby conditionally granted, contingent upon timely compliance with the requirements of this order, authority to transport passengers in irregular route operations between points in the Metropolitan District.

2. That Boston Coach - Washington Corp. trading as Boston Coach is hereby directed, within 30 days of the date of this order or such additional time as the Commission may direct or allow, to file: (a) evidence of insurance pursuant to Commission Regulation No. 58 and Order No. 3623; (b) five copies of its tariff(s) in accordance with Commission Regulation No. 55; (c) an equipment list stating the year, make, model, serial number, vehicle number, license plate number (with jurisdiction), and seating capacity of each vehicle to be used in certificated operations in the Metropolitan District; (d) evidence of ownership, or a lease as required by Commission Regulation No. 62, for each vehicle to be used in certificated operations in the Metropolitan District; (e) its official business address as discussed in Commission Regulation No. 68; and (f) an affidavit of identification of vehicles pursuant to Commission Regulation No. 61, for which purpose WMATC No. 186 is hereby assigned.

3. That upon timely compliance with the requirements of the preceding paragraph and acceptance of the materials required by the Commission, Certificate of Authority No. 186 shall be issued to Boston Coach - Washington Corp. trading as Boston Coach as appended to this order.

BY DIRECTION OF THE COMMISSION; COMMISSIONERS SCHIFTER AND SHANNON:


William H. McGilvery
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

CERTIFICATE OF AUTHORITY

NO. 186

***Boston Coach - Washington Corp.
Trading as Boston Coach***

By Order No. 3800 of the Washington Metropolitan Area Transit Commission issued August 6, 1991;

WHEREAS, the above-named carrier is entitled to receive authority to transport passengers within the Washington Metropolitan Area Transit District;

THIS CERTIFICATE OF AUTHORITY is hereby issued to the named carrier as evidence of the authority to engage in the for-hire transportation of passengers by motor vehicle; subject, however, to such terms, conditions, and limitations as are now, or may hereafter be, attached to the exercise of the privilege granted to the named carrier:

IRREGULAR ROUTES, transporting passengers between points in the Washington Metropolitan Area Transit District;

RESTRICTED TO (1) operations conducted according to the named carrier's applicable tariff on file with the Commission; and

RESTRICTED AGAINST (1) transportation solely within the Commonwealth of Virginia and (2) any passenger transportation for hire on an individual fare paying basis in competition with any existing, scheduled, regular-route, passenger transportation service performed by, or under a contract with, the Federal Government, a signatory to the Compact, a political subdivision of a signatory, or the Washington Metropolitan Area Transit Authority.

THIS CERTIFICATE OF AUTHORITY DOES NOT AUTHORIZE ANY TRANSPORTATION BY ANY PERSON OTHER THAN THE CARRIER NAMED HEREON.

THIS CERTIFICATE OF AUTHORITY IS NOT VALID UNLESS THE CARRIER NAMED HEREON IS IN COMPLIANCE WITH THE INSURANCE REQUIREMENTS OF THE COMMISSION.

IT IS A FURTHER CONDITION of this certificate of authority that the carrier named hereon shall (a) provide safe and adequate transportation service, equipment, and facilities and (b) observe and enforce Commission regulations.